

# ASOTIN CITY CEMETERY RULES AND REGULATIONS

## **DEFINITIONS:**

- A. "Burial" means the placement of human remains in a grave.
- B. "Cemetery" means anyone, or combination of more than one, of the following, in a place used, and dedicated for Cemetery purpose:
  - 1. A burial place for earth internment;
- C. "Committal" means that part of the funeral service, which commits the remains of the deceased to their final resting-place.
- D. "Cremated remains," means a human body after cremation in a crematory.
- E. "Funeral" means a memorial service for a deceased person.
- F. "Grave" means a space of ground in a Cemetery used or intended to be used for burial.
- G. "Companion grave" means two single graves side by side or one double depth grave.
- H. Grave "owner" or "Owner" means any person in whose name an interment plot stands of record as owner, in records of the Cemetery authority.
- I. "Human remains" or "remains" means the body of deceased person, and includes the body in any stage of decomposition except cremated remains.
- J. "Interment" means the disposition of human remains by cremation and internment, entombment or burial in a Cemetery.
- K. "Marked and/or memorial" means any grave marked, headstone, or monument that is intended to permanently mark any grave.
- L. "Plot" means grave, niche, or crypt.
- M. "Vault" or "liner" means any container which is buried in the ground and into which human remains are placed in the burial process.

## **RULES AND REGULATIONS & PURPOSE**

The rules and regulations continued in this chapter is made only for the benefit of the grave owners and is designed to limit their rights insofar as such limitations are for the benefit of all. If rules and regulations are not made the exercise by certain ones interfere with the rights and enjoyment of others, as well as destroy the general scheme and beauty of the property. No rule has been adopted except as is necessary to preserve the rights of all whom the city considers itself the trustee.

These rules and regulations may be changed or amended at any time by the City Council,

Reference:

and will be so changed and amended when any rule is found to be detrimental to the best interest of the grave owners, as a whole, or when new conditions require the adoption of other or further regulations. Copies may be had upon request to the City Clerk.

## **APPLICABILITY**

The city owns, operates, and cares for The City of Asotin Cemetery as a part of its general government services to the citizens of Asotin. This chapter governs operations of the Cemetery and is in addition to other city ordinances and regulations for property under the management of The City of Asotin.

### **Cemetery Hours**

Visitor hours during which the Cemetery roads are open are from seven a.m. to eight p.m. or dusk (which ever is earlier) daily and normal burial hours shall be restricted during the week to the hours of eight a.m. and seven p.m. without special permission of the (a) Cemetery designee.

### **Perpetual Care Graves**

All graves within The City of Asotin Cemetery used for the Cemetery purpose are designated for perpetual care.

#### Price of Graves and Service

1. The fees charged for graves and services are established by the City Council by resolution and/or adoption.<sup>1</sup>
2. The grave sale price, upon adoption of this document, shall be added twenty percent of such sales, which amount shall be deposited in the Cemetery funds use for perpetual care.

### **Cemetery Fund**

The Cemetery fund is established with money received from the amount set forth from grave sales and from any property devised, bequeathed or given in trust to the Cemetery.

The income from investments of the Cemetery fund will be used for care and operation of the Cemetery, for capital improvement, or embellishment within the Cemetery. These

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<sup>1</sup>reference:

funds will reserve the allowance of twenty percent for perpetual care only. The Cemetery Committee recommends that the perpetual care fund be placed in an interest bearing account.

Other cemetery funds may be used for memorials within the City limits for those buried in The City of Asotin Cemetery or to commemorate those persons who have perished that are/were considered part of the community. This will include, but not be limited to, the planting of trees, development of parks, sculptures or other monuments to honor those persons.

## **General Regulations**

1. The rules and regulations set out in this chapter and subsequent chapters are determined by motion, adoption, or resolution of the City Council, by recommendation of the Cemetery Committee or Chairperson, and shall govern all cemeteries now owned or hereafter acquired by the City of Asotin. The City expressly reserves the right to make, from time to time, such additional rules and regulations as may be deemed desirable in the public interest.
2. No tree, shrub or plant shall be planted, placed or kept on any lot or in any part of the Cemetery except in areas designated by the City for planting or keeping therefore. Any tree, shrub or plant planted or kept or maintained in violation heretofore shall be summarily removed, or ordered for removal, by the, Cemetery Chairperson, or Cemetery Committee member with such other city help as is necessary, and the cost of removal shall be paid by the offending person or persons.
  1. This section will not, in general, apply to plantings prior to this resolution. However, it will be within the discretion of the Cemetery Committee Chairperson, Cemetery maintenance manager, or the Cemetery Committee to determine a need to remove, replace, or prune present plantings. All city employees will confer with a member of the Cemetery Committee prior to removal of any planting.
3. No monument, structure, effigy, inscription, sign, placard or thing shall be placed, kept or maintained upon any lot or other Cemetery area except as specifically authorized by the ordinances, rules and regulations of the City. If anything is placed, kept or maintained in violation therefor the Cemetery Chairperson or member of the Cemetery Committee shall, with such other city help as necessary, summarily remove the same, and the cost of removal shall be paid by the offending person or persons if so deemed necessary.
4. No fences, coping or curbing of any kind, and no other monuments, stones, objects or things of any kind projecting above the surface of the ground will be

Reference:

5. permitted, except as specifically authorized by the ordinances, rules, and regulations of the City or approval by the City Council.
  - a. Family plots, being designated by purchase and recorded by the City Clerk, may be excluded in fencing regulations providing the family notifies the City Clerk and the designated area is confirmed and approved by a member of the Cemetery Committee. This reduces the possibility of mismeasured plots and encroachment upon other plots.
6. Heavily loaded vehicles and other heavy or sharp objects or things which will mark or tear up the ground shall not be allowed within the Cemetery areas without written permission of the Cemetery Chairperson or by mutual committee agreement.
7. Every person entering the City Cemetery shall be responsible for all damages done by that person or by any vehicle, person, or animal, or thing in that person's charge.
8. No animal shall be taken into or allowed to enter any Cemetery area without being restrained (leashed) and kept upon the designated roadways.
9. Any person disturbing the quiet and good order of the Cemetery by noises or disorderly or improper conduct, or who shall violate any of the rules or regulations pertaining to the Cemetery, will be ejected from the Cemetery.
10. No vehicle shall: (A) be driven in any part of the Cemetery except on the driveways laid out for that purpose; (B) be driven in the Cemetery at a speed exceeding five miles per hour; (C) be driven or parked in the Cemetery between the hours of 10:00 o'clock p.m. and 7:00 o'clock a.m., except law enforcement vehicles or City maintenance vehicles.
11. Signs and advertisements of every description are strictly prohibited in the Cemetery, except as necessary for Cemetery regulations by the Cemetery Committee or approved by the City Council.
12. No person shall take any firearm or gun inside the Cemetery. This restriction shall not apply to those participating in military funerals; special occasions honoring those involved with the military, to law enforcement officers or special funerals whose tradition it is to salute by firearm.

### **Malicious Mischief**

The following acts are prohibited, as every person is guilty of malicious mischief who unlawfully or without right willfully does any of the following:

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1. Destroys, cuts, mutilates, effects, or otherwise injures, tears down, any tomb, plot, monument, memorial, or marker in the City Cemetery, or any gate, door, fence, wall, post, or railing or any enclosure for the protection of the Cemetery or any property therein.
2. Destroys, cuts, breaks, removes, or injures any building, statuary, ornamentation, tree, shrub, flower, or plant within the Cemetery.

The foregoing provisions relating to malicious mischief do not apply to the removal or unavoidable breakage or injury, by the City agents or employees, of any thing placed in or upon any portion of the City Cemetery in violation of any of the rules and regulations of the City, nor to the removal of any thing placed in the Cemetery by or with the consent of the City which has become in a wrecked, unsightly or dilapidated condition.

### **Interments**

1. No interments shall be allowed or made in any lot for which the City has not been paid the full purchase price prior to interment. Exception can be made under special circumstances with permission from the Cemetery Chairman, City Mayor, or majority of the Cemetery Committee.
2. Burial for the indigent will be located in what is historically known as "Potters Field." The Cemetery Committee and/or the City Council will determine cost of such burial site and/or establish a payment agreement with the heir(s) or assignee(s).
3. Lots are sold for the purpose of burial of the human only. Permission to bury pets with human remains must be given by the Cemetery Committee and/or City Council.
4. Lots will be purchased and recorded at the office of the City Clerk.
5. No burial will be permitted in the Cemetery without the proper burial permits as required by the laws of the State of Washington and those of The City of Asotin, as well as Asotin County. All burials will be required to follow the guidelines of the State of Washington and Asotin County. These guidelines will include, but not be limited to burial vaults and/or liners.
6. No burial will be permitted in the Cemetery without a written permit from the office of the City Clerk. At time permission is requested, the name, age, place and date of birth, place and date of death, sex, explanation of death, and last  
Reference:  
address of the person to interred shall be given to the City Clerk. See final attachment for an example of the recommended document of record.
- 7.

8. A record shall be kept of all remains interred or cremated. In each case, the date of interment or cremation and the name and address of the funeral director, in addition to the information mentioned above, shall be kept as part of the record of interment.
9. Upon the death of any owner of a lot, or lots, in the Cemetery, the heirs, assignees, or devisees of such decedent must furnish to the City satisfactory proof of ownership of any such lot or lots, before further interments can be made.
10. No transfer of any lot or any interest therein, will be valid without the notification to the City Clerks office and endorsed upon such transfer, and a record therefore entered on the books of the City.
11. Within the Cemetery area, all funerals will be subject to control and direction of a member of the Cemetery Committee, who will have the entire control of the digging of graves, and all other matters relating to burials.
12. No grave shall be dug less than six inches from the boundary line of the lot and graves on lots shall be pre-arranged as to not present a crowded or irregular appearance. This part is subject only to unused lots as of the adoption of this document.
13. Mounds over new graves must be kept low, not over five inches in height.

### **Disinternments**

No disinternments will be allowed without a written permit from the registrar of the district in which the City Cemetery is located, as well as without the written permission of the City of Asotin and the lot owner or assignee. Additional permission must be given by the nearest kin of the deceased. All such disinternments shall be under the direction and supervision of a member of the Cemetery Committee, or an designate by the Cemetery Chairman, except that disinternments will be allowed when made pursuant to an order of a court of record, in which case receipts for the remains must be given.

### **Headstones, Monuments, Markers, Graves, Etc.**

In order to secure the best general appearance the City requires that all plantings of shrubs and plants in the Cemetery shall be done only in accordance with the established plan under the direction of the Cemetery Committee, with the approval of the Committee,

Reference:

and in such places only as they may designate pursuant to such plan.

A list of allowed and/or suggested plantings shall be provided upon request to a committee member or the City Clerks Office, as well as upon receipt of a burial permit or purchase of a burial lot.

## **Conclusion**

A copy of these rules and regulations shall be given to those persons purchasing a lot, upon receipt of a burial permit, purchase of a burial lot, or upon request to the City Clerks office.

- Attachment following page.

Reference: